

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Confirmation No.: 8956
Harue NAKASHIMA et al.) Group Art Unit: 1786
Serial No.: 10/584,308) Examiner: Jay Yang
Filed: June 23, 2006)
For: LIGHT EMITTING ELEMENT AND)
LIGHT EMITTING DEVICE)

AFTER FINAL RESPONSE

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Official Action mailed September 21, 2010, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on June 23, 2006 and January 23, 2008.

Claims 1-27 are pending in the present application, of which claims 1-3, 7-9, 13-15 and 19-21 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 3 of the Official Action rejects claims 1-5, 7-11, 13-17 and 25-27 as obvious based on the combination of JP 1998-310574 to Kitahora, U.S. Publication No. 2001/0022497 to Aoki and U.S. Publication No. 2005/0098207 to Matsumoto. Paragraph 4 of the Official Action rejects claims 1-4, 6-10, 12-16, 18-22 and 24-27 as obvious based on the combination of Kitahora, Aoki, Matsumoto and U.S. Patent No. 6,541,129 to Kawamura. The Applicant respectfully traverses the rejection because the Official Action has not made a *prima facie* case of obviousness.